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**UNITED STATES DISTRICT COURT**

## DISTRICT OF NEVADA

KELVIN GORDON, an individual; LILITH MCGRATH, an individual; KIANA FULLMORE, an individual; and the AMERICAN CIVIL LIBERTIES UNION OF NEVADA FOUNDATION, a domestic nonprofit corporation.

## Plaintiffs

Case No.: 2:22-cv-01446-CDS-EJY

**STIPULATION AND ORDER TO  
STAY CASE PENDING  
SETTLEMENT DISCUSSIONS  
(SECOND REQUEST)**

THE CITY OF LAS VEGAS, a local municipal government entity; and FREMONT STREET EXPERIENCE, LLC, a domestic limited liability company;

## Defendants

Plaintiffs Kelvin Gordon, Lilith McGrath, Kiana Fullmore, and the American Civil Liberties Union of Nevada Foundation, by and through counsel, Christopher M. Peterson, Esq., and Defendant The City of Las Vegas, by through its counsel of record Bryan Scott, Esq. and John A. Curtas, Esq. of the Las Vegas City Attorney's Office and Defendant The Fremont Street Experience Limited Liability Company, by and through its counsel of record, Patrick J. Reilly, Esq. and Eric D. Walther of Brownstein Hyatt Farber Schreck, LLP, hereby stipulate and agree to extend the current stay on all pending deadlines so that Plaintiffs and Defendants may enter into

1 settlement discussions and negotiations without incurring unnecessary attorney fees and costs.

2 The Stipulation is being entered in good faith and not for the purposes of delay.

3 As previously stated in parties' Stipulation and Order to Stay Case Pending Settlement  
4 Discussions, ECF No. 65, counsel for Plaintiffs and Defendants informally discussed the  
5 possibility of settlement during meetings on December 8, 2022, and on December 28, 2022, as  
6 required by FRCP 26(f) and Local Rule 26-1(a). To continue those discussions, the parties filed a  
7 proposed stipulation to stay these proceedings until March 6, 2023. This Court granted the  
8 proposed stay on January 25, 2023.

9 Since the stay's commencement, Plaintiffs have extended a settlement proposal that  
10 would resolve the Plaintiffs' Second Cause of Action and would dismiss Plaintiffs McGrath and  
11 Fullmore from this matter. If Defendants accept the offer, both developments would save time  
12 and costs for all parties during discovery.

13 To provide Defendants with additional time to evaluate Plaintiff's settlement proposal,  
14 Plaintiffs and Defendants hereby agree and request that the Court enter a stay of all deadlines in  
15 the instant case until **March 21, 2023**.

16 Notwithstanding the stay, the Plaintiffs and Defendants intend to hereby agree to cooperate  
17 in the exchange of information as needed to facilitate settlement.

18 If the parties do not reach a settlement resolving all outstanding claims during the stay,  
19 the parties further agree and stipulate that the parties will submit a new proposed Discovery Plan  
20 to the Court within fourteen (14) days of the expiration of the stay. The parties agree that the  
21 new proposed Discovery Plan would provide the same number of days to complete the  
22 parties' outstanding obligations as the current Discovery Plan but for the implementation of  
23 the stay provided by this stipulation.

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1 IT IS SO STIPULATED.

2 Dated this 8th day of March 2023.

3 **AMERICAN CIVIL LIBERTIES  
4 UNION OF NEVADA**

5 By: /s/ Christopher Peterson  
6 Christopher M. Peterson, Esq.  
7 Nevada Bar No. 13932  
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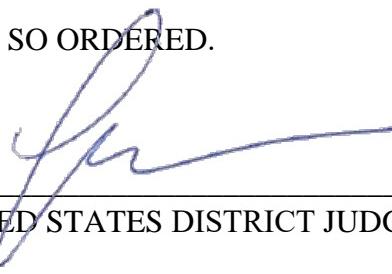
13 Dated this \_\_ day of January 2023.

14 **BROWNSTEIN HYATT FARBER  
15 SCHRECK, LLP**

16 By: /s/ Patrick J. Reilly  
17 Patrick J. Reilly, Esq. (6103)  
18 Eric D. Walther, Esq. (13611)  
19 100 N. City Parkway, Suite 1600  
20 Las Vegas, Nevada 89106  
21 *Attorneys for Defendant, The Fremont Street  
22 Experience Limited Liability Company*

23 **ORDER**

24 IT IS SO ORDERED.

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UNITED STATES DISTRICT JUDGE

27 DATED: March 8, 2023